

***United States Court of Appeals
for the Second Circuit***



**APPELLANT'S
BRIEF**

Original

UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT

75-7195

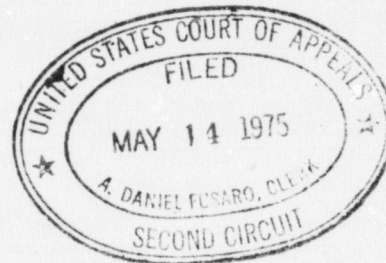
MAY 14 1975

MARTHA WILLIAMS-Plaintiff

vs.

THE STATE OF NEW YORK and
Judges: A.Schulman, Tavormina, H.Cohon, J.Steinberg, M.Stein,
L.Sacks, Corso, F.Moritt, Kleiger, A.Marino, S.Welcome, H.Bramwell
of Brooklyn Civil Court
Judges: William B.Groat, Charles Margett, John E.Cone of the
State's Appellate Court of Kings County
Judge: Samuel Rabin, former presiding Justice of the Appellate Div.
Defendants

BRIEF OF PLAINTIFF-APPELLANT

B
P/S

COPY OF VERDICT PAPER
RECEIVED
DEPARTMENT OF LAW

MAY 14 1975

NEW YORK CITY OFFICE
J. L. [Signature]
ATTORNEY GENERAL
RAC

Plaintiff Submitting 25 Briefs For Argument
AS of 5/14/75

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Defendants

STATEMENT OF THE ISSUES

1. Defendants filed Motion in Court for an order, unNoticed to Plaintiff on FALSE ADDRESS. NO SUCH ADDRESS ON RECORD. See EX. 3
An order was made by Judge Nehrer on such a Motion, after Plaintiff notified Court of matter...See Plaintiff's affidavit--EX.5
See Judgment & Order --EX.6-7
2. Defendant filed unSworn affidavit in District Court, stating to my being served papers...See EX. 8
3. Plaintiff had not received no papers, not even answering papers.
4. Wrote plaintiff off as "default" in appearance, prior to complaint in lower court.

STATEMENT OF THE FACTS

Courts Engaged in Civil Wrongs

Brooklyn Civil, Landlord & Tenant, Special Term Part 1, and
Appellate Term of Brooklyn, Kings County...

So-named Judges in above Courts obstructed Justice to Shield
defendants wrongdoers in cases #630-73 S.C.9130-1224 #1007-73
L&T 7482-72...Judges infringed upon and violated my rights in cases.
Judges engaged in acts as such: Some EXAMPLES,

1. Judge Tavormina, Stein, Schulman, Marine and Moritt engaged in Acts with Attorneys in Malpractice Suit #630-73 to keep case from going to trial.

STATEMENT OF THE FACTS

3. Defendants Atty. Allen Taylor, got an Order to Show Cause, which he never served on me, but filed affidavit in Court on such service. I was marked "default" on calendar, through Judge Marino.
4. Plaintiff sued private Attorney, Israel I. Davidson, in Small Claims Court for refund of fees for services not rendered. Judge Sacks allowed attorney to withdraw a Motion after he argued it, and Judge denied it, allowing him to transfer to next Court for counterclaim, both going against CPLR Law & Practices and general principles.
5. Judge Stein witness a forged order by Atty. Davidson, written by attorney himself on Motion paper, on a prior decision of Motion. Judge grants him a Motion on this. (both ~~denies~~ me a copy of this.)
6. Judge Tavormina violated plaintiff's right to the Inquest on case #1007-73-- damage suit against N.Y.C. Housing Authority, which is still pending, telling attorney, who is also co-defendant in the Malpractice suit #630-73, to move on my Inquest, to which he did and Motion was granted by Judge Corso, whom had knowledge of this. Relief sought in damage suit was \$2,000.00 moving and relocation expense on or before 7/28/73...Court Acts detained my move and caused me and my family undue hardships and sufferings.
7. Plaintiff had to appeal L&T #7482-72 the second time, after case was reversed in my favor the first time. Judge S. Welcome did not
(Also deposits paid into Court, Under Protest)
consider none of my issues in case. Judge Welcome denies me a fair trial by answering for witnesses and waving off answers off record, and matters important to me. Judge Welcome removed most papers from file, whereas they can not be found.
8. Judge Henry Bramwell, who was appointed to Federal District Ct. attached a decision on Motion (Housing Authority was directed to Show Cause, which they didn't and they were not present before Judge Bramwell.

con't 8

STATEMENT OF THE FACTS

8. Motion was NEVER HEARD, vs no reporter's notes of minutes.
Attorney Walter Cassidy is parading around with his own order to defraud WHOM?

9. Appellate Judges William B. Groat, Charles Margett, and John E. Come affirmed the wrongdoing in cases #630-73 S.C.9130-1224 and #1007-73

10. Appellate Judge Samuel Rabin failed to act on complaints of Attorney.

11. Etc....See Complaint EX. 2

SINCE STATE COURTS ABDICATE ITS RESPONSIBILITY...I MUST PETITION
U.S. COURT FOR REVIEW OF CASES.

ARGUMENT

POINT 1...A State denying its citizen their basic right.. .

The Process of being served all papers filed in Court.

POINT 11...The State itself is obstructing Justice in the COURTS.

CONCLUSION

Plaintiff Respectfully Requests:

1. Order & Judgment from Motion, dated Jan.24th,1975 ,by defendant un-noticed to plaintiff, be VOID.
2. Service of all papers to plaintiff.
3. Notice for Trial or Judgment absolute for Plaintiff for \$500,000.00 against State of New York and Defendants, in personal injury and violation of her Civil Rights, basic and human rights.
4. Rectification of said wrongs. *Plaintiff suffering aftermath of Jodes's Acts*
5. Petition for Review of cases. *Acts cannot + will not be swept under the rug.*

To BE Submitted by,
Martha Williams,
Plaintiff-Appellant

APPENDIX

POINT 1...A State denying its citizen their basic right...

NOTICE TO APPEAL

Plaintiff appeals from invalid order entered and filed in District Ct.
EX. 6-7

JUDGMENT APPEALED FROM

Motion seeking a dismissal of complaint, without my being served, and the failure of District Judge, to void the Motion.

EXCERPTS FROM STATUTE

Allegation of Jurisdiction. (Under the 14th Amendment, no State or local unit of government may deprive an individual of life, liberty, or property, without due process of the Law, nor deny to any person within its Jurisdiction the equal protection of the Laws.)

AMENDMENT 14 Section 1, clause 1

" all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."

AMENDMENT 14 Section 1, clause 2

No State shall make or enforce any law which shall abridge the privilege of citizens of the United States. etc.
Courts have abused my privilege.
Discrimination by administrative or public officials is unconstitutional under the equal protection clause.
Courts cannot discriminate under the 14th Amendment.
Courts ruled on prejudices not on merits of cases.

SECTION 241--Conspiracy to Violate the Rights of Citizens

Section 241 of Title 18 of the United States Code is directed against any two or more persons who conspire to interfere with a citizen in the exercise of rights or privileges guaranteed by the Constitution or Laws of the United States. The penalty for violation is a fine of not more than \$5,000 or imprisonment for not more than ten years or both. This section seeks to protect a citizen against a conspiracy of individuals private, public officers, or a combination of both, to deprive one of their constitutional rights.

APPELLANT MUST QUESTION, WILL JUSTICE THROUGH LAW EVER BE ACHIEVED ?

To Be Submitted, in Argument

Martha Williams, Plaintiff-Appellant

STATE OF NEW YORK
COUNTY OF NEW YORK

} ss.

Lillian Cooper, being duly sworn, deposes and says
that she is an employee in the office of the Attorney General of the
State of New York, the Attorney for Defendants herein. On the 24th
day of January, 1975 she served the annexed upon the following named persons:

Ms. MARTHA WILLIAMS
235 Ralph Avenue
Brooklyn, New York 11233

party
Attorney in the within entitled proceeding by depositing a true and correct copy thereof, properly
enclosed in a post-paid wrapper, in a post-office box regularly maintained by the Government of the United States at TWO WORLD
TRADE CENTER NEW YORK, N.Y. 10047 directed to said party at the address within the State designated by her
for that purpose.

Sworn to before me this

24 day of January, 1975

Ralph M. Murray

Assistant Attorney General of
the State of New York

Lillian Cooper

74 Civ. 1290

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MARTHA WILLIAMS,

Plaintiff,

-against-

STATE OF NEW YORK and Judges,
et al.,

Defendants

NOTICE OF MOTION

LOUIS J. LEFKOWITZ,

Attorney General

Attorney for Defendants

Office And Post Office Address
Capitol Albany, N.Y. 12224

New York Office

TWO WORLD TRADE CENTER, NEW YORK, N.Y. 10047
Tel. 488-4178

Personal service of a copy of

within

is admitted this

day of

19

STATE OF NEW YORK)
: SS.:
COUNTY OF NEW YORK)

Lillian Cooper, being duly sworn, deposes and says that he is an employee in the office of the Attorney General of the State of New York, attorney for defendants herein. on the 24th day of January, 1975, s he served the annexed upon the following named person :

Ms. Martha Williams
235 Ralph Avenue
Brooklyn, New York 11233

^{party}
~~Attorney~~ in the within entitled proceeding by depositing a true and correct copy thereof, properly enclosed in a post-paid wrapper, in a post-office box regularly maintained by the Government of the United States at Two World Trade Center, New York, New York 10047, directed to said ^{party} ~~Attorney~~ at the address within the State designated by her for that purpose.

Sworn to before me this
24 day of January, 1975.

Russell L. McManis
Assistant Attorney General
of the State of New York

Ex 3

FEB. 28, 1975

Before:

NEAHER, J.

AT 10:00 A.M.

CIVIL MOTION

74 C 1290

WILLIAM MARTHA

-VS-

CITY OF N.Y.

APPEARANCES:

DEFT. MOTION FOR DISMISSAL ETC.

For Pltff: PRO SE

For Deft: A.P. BURKE, ESQ.

*Case called. D. by not present.
Motion granted by default. -
Order submitted to the Court.*

↑
Note: STATE is
Party
↓

see: EX. 1 in
Index on Appeal

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MARTHA WILLIAMS,

Plaintiff,

-against-

THE STATE OF NEW YORK and Judges,
A. Schulman, Tavormina, H. Cohon,
J. Steinberg, M. Stein, L. Sacks, Corso,
F. Moritt, Kliegor, A. Marino, S. Welcome
and Henry Bramwell, of Brooklyn Civil
Court Judges: William B. Groat, Charles
Margett, John E. Cone of the State's
Appellate Division of Kings County Judge;
Samuel Rabin, former presiding Justice of
Appellate Division,

Defendants.

M'FILMED

ORDER

: 74 Civ. 1290
(E.R.N.)

FILED
IN CLERK'S OFFICE
U. S. DISTRICT COURT E.D. N.Y.

★ FEB 28 1975 ★

TIME A.M.
P.M.

This cause coming on to be heard upon the motion of
LOUIS J. LEFKOWITZ, Attorney General of the State of New York,
attorney for defendants, to dismiss the complaint for failure
to state a claim upon which relief may be granted and for lack
of subject matter jurisdiction, pursuant to Rules 12(b)(6) and
12(b)(1) of the Federal Rules of Civil Procedure, and the court
having examined the complaint herein, dated January 2, 1975, and
the motion and papers submitted in support of said motion,
dated January 24, 1975;

IT IS HEREBY ORDERED that said motion be and the same
is hereby granted, and it is further

ORDERED that the complaint be, and is hereby dismissed.

Dated: New York, New York
February 10, 1975
28

Edward R. Maher
U.S.D.J.

CLOSED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U. S. DISTRICT COURT E.D. N.Y.

★ MAR 1 1975 ★

MARTHA WILLIAMS,

Plaintiff,

TIME AM _____
P.M. _____

-against-

JUDGMENT

74 C 1290

THE STATE OF NEW YORK and Judges
A. Schulman, Tavormina, H. Cohon,
J. Steinberg, M. Stein, L. Sacks,
Corso, F. Moritt, Kliegor, A. Marino,
S. Weltsome, and Henry Bramwell, of
Brooklyn Civil Court Judges: William B.
Groat, Charles Margett, John E. Cone of
the State's Appellate Division of Kings
County Judge; Samuel Rabin, former presiding
Justice of Appellate Division,

Defendants.

NOT FILMED

An order signed by the Honorable
Edward R. Weaher, United States District Judge, having been
filed on February 28, 1975, granting the defendants' motion
to dismiss the complaint for failure to state a claim upon
which relief may be granted and for lack of subject matter
jurisdiction, it is

ORDERED and ADJUDGED that the plaintiff
take nothing of the defendants and that the complaint is dismissed.

Dated: Brooklyn, New York
February 28, 1975

Lewis Orgel
Clerk